

Docket: A-1670

IN THE UNITED STATES PATENT AND TRADEMARK OFFICEIn re Application of:
Hassan et al.

Group Art Unit: 3745

Serial No: 09/226,418

Filed: 1/6/1999

Examiner: Christopher M. Verdier

For: GUST ALLEVIATION/FLUTTER
SUPPRESSION DEVICECommissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450CERTIFICATE OF FACSIMILE TRANSMITTAL

I hereby certify that this correspondence is being facsimile transmitted to facsimile telephone number 703-872-9302 on Friday, May 23, 2003.

Date: 5/23/2003
Signed: Donald E. Stout
Donald E. Stout, Reg. No. 34,493TERMINAL DISCLAIMER

Sir:

The owner, McDonnell Douglas Helicopter Company, a subsidiary of the Boeing Company, a Delaware corporation, is the assignee and exclusive owner of the entire right, title, and interest of, in and to the referenced application Serial No. 09/226,418, filed on January 6, 1999, by virtue of an assignment from the inventors of the above-identified patent application to the current assignee. The assignment was recorded in the Patent and Trademark Office on Reel 9706, Frame 0567.

The owner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the referenced application, which would extend beyond the earliest expiration date of the full statutory terms defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of each of prior Patent No. 5,938,404, issued August 17, 1999, prior Patent No. 6,092,990, issued July 25, 2000, and prior Patent No. 6,234,751, issued May 22, 2001. The owner hereby agrees that any patent so granted on the referenced application shall be enforceable only for and during such period that it and the prior patents are commonly owned. This agreement runs with any patent granted on the referenced application and is binding upon the grantee, its successors or assigns.

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U.S. Serial No: 09/226,418
May 23, 2003
Page 2

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory terms as defined in 35 U.S.C. 154 to 156 and 173 of the prior patents, as presently shortened by any terminal disclaimer, in the event that any of the prior patents later: expire for failure to pay a maintenance fee, are held unenforceable, are found invalid by a court of competent jurisdiction, are statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, have all claims canceled by a reexamination certificate, are reissued, or are in any manner terminated prior to the expiration of their full statutory terms as presently shortened by any terminal disclaimer.

The undersigned is an attorney of record.

Authorization is hereby given to charge the terminal disclaimer fee of \$110.00 under 37 CFR 1.20(d), as well as any other necessary fees in connection with this statutory disclaimer, to Deposit Account No. 13-5135.

5/23/03
Date

Donald E. Stout
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Attorney for Applicants
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